

**DECLARATION
Utility Application**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **Micro-Porous Mesh Stent with Hybrid Structure** the specification of which

(Check One)

is attached hereto OR
 was filed on _____ as United States Application Serial No. SerialNumber or PCT International Application No. _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Date of Filing	Priority Claimed Yes	No

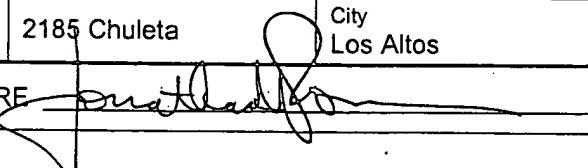
I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below.

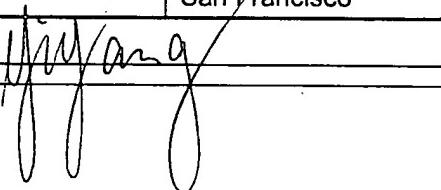
Application Number(s)	Filing Date

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Number	Parent Filing Date	Status-Patented, Pending or Abandoned

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

201	FULL NAME OF INVENTOR	FIRST Name Jonathan	MIDDLE Initial M.	LAST Name Rourke
	RESIDENCE & CITIZENSHIP	City Los Altos	State or Foreign Country California	Country of Citizenship United States
	POST OFFICE ADDRESS	2185 Chuleta	City Los Altos	State or Country California Zip Code 94024
INVENTOR'S SIGNATURE 		DATE <u>20JAN '00</u>		

202	FULL NAME OF INVENTOR	FIRST Name Yi	MIDDLE Initial	LAST Name Yang
	RESIDENCE & CITIZENSHIP	City San Francisco	State or Foreign Country California	Country of Citizenship United States
	POST OFFICE ADDRESS	at 2394 45 th Avenue,	City San Francisco	State or Country California Zip Code 94116
INVENTOR'S SIGNATURE 		DATE <u>JAN. 17, 2000</u>		

Patent
702563.57
(Formerly 265/286)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:)
Jonathan M. Rourke, et al.) Group Art Unit: 3732
Serial No.: 09/929,474) Examiner: O'Connor, Cary E.
Filed: August 13, 2001)
For: MICRO-POROUS MESH STENT)
WITH HYBRID STRUCTURE)
)

REVOCATION AND POWER OF ATTORNEY AND
CERTIFICATE UNDER 37 C.F.R. 3.73(b)

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

The assignee of record of the entire interest of the above-identified application hereby revokes all previous appointments of power of attorney and hereby appoints the registered practitioners at Customer No. 34313:



34313

PATENT TRADEMARK OFFICE

Orrick, Herrington & Sutcliffe, LLP
4 Park Plaza, Suite 1600
Irvine, California 92614-2558
Tel.: (949) 567-6700

as its attorneys/agents with full power of substitution and revocation to prosecute this application, to transact all business in the Patent and Trademark Office, in connection therewith, and to receive any Letters Patent.

Please send all correspondence to the attention of James W. Geriak, at the above Customer Number and address, and direct all telephone calls to (949) 567-6700.

Patent
702563.57
(Formerly 265/286)

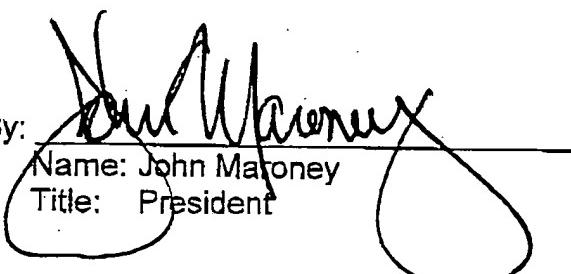
ENDOTEX INTERVENTIONAL SYSTEMS, INC., a corporation organized and existing under and by virtue of the laws of the State of Delaware, certifies that it is the assignee of the entire right, title, and interest in the application(s) identified above by virtue of an assignment from the inventor(s) of the parent application to the application identified above, including all continuation applications therefrom. The assignment of which was recorded in the Patent and Trademark Office on February 1, 2000 at Reel 010541 and Frame 0152.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein are of my own knowledge and are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application of any patent issuing thereon.

Dated: 24 April, 2003

By:


Name: John Maroney
Title: President



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APRIL 19, 2000

PTAS

LYON & LYON LLP
WILLIAM A. ENGLISH
633 WEST FIFTH STREET
SUITE 4700
LOS ANGELES, CA 90071-2066



101267388A

245/114

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 02/01/2000

REEL/FRAME: 010541/0152
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

ROURKE, JONATHAN M.

DOC DATE: 01/20/2000

ASSIGNOR:

YANG, YI

DOC DATE: 01/20/2000

ASSIGNEE:

ENDOTEX INTERVENTIONAL SYSTEMS,
INC.
10231 BUBB ROAD
CUPERTINO, CALIFORNIA 95014

SERIAL NUMBER: 09495827

PATENT NUMBER:

FILING DATE: 02/01/2000
ISSUE DATE:

RECEIVED
APR 27 2000
U.S. PROSECUTION

010541/0152 PAGE 2

TONYA LEE, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

Mrd 02/01/01

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FORM PTO-1595
1-31-92

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U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

Docket No. 245/114

101267388

To the Honorable Commissioner of Patents and Trademarks, please return original documents or copy thereof.

1. Name of conveying party(ies):
JONATHAN M. ROURKE and YI YANG
Additional name(s) of conveying party(ies) attached?
 Yes No

2. Name and address of receiving party:

Name: ENDOTEX INTERVENTIONAL SYSTEMS, INC.

Internal Address: _____

City: Cupertino State: California Zip: 95014

Street Address: 10231 Bubb Road

City: Cupertino State: California Zip: 95014

Additional name(s) & address(es) attached? Yes No

3. Nature of conveyance:
 Assignment Merger
 Security Agreement Change of Name
 Other _____

Execution Date: 01/20/00

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: 02/01/00

A. Patent Application No(s):

B. Patent No(s):

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: William A. English

Internal Address: LYON & LYON LLP
633 West Fifth Street, Suite 4700
Los Angeles, CA 90071-2066

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$ 40.00

 Enclosed Charge this Deposit Account if any additional fee is required

8. Deposit Account Number: 12-2475

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9. Statement and signature:

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

02/01/2000 TUE 10000014 09495827

Date: 02/01/00

William A. English, Reg. No. 40,50150P

Total number of pages including cover sheet: 4

OMB No. 0651-0011 (exp. 4/94)

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ASSIGNMENT OF PATENT APPLICATION

WHEREAS, WE, **JONATHAN M. ROURKE**, a citizen of UNITED STATES residing at 2185 Chuleta Los Altos, California 94025, and **YI YANG**, a citizen of UNITED STATES residing at 2394 45th Avenue, San Francisco, California 94116 (hereinafter referred to as "ASSIGNORS"), have invented and own a certain invention entitled Micro-Porous Mesh Stent with Hybrid Structure for which application for Letters Patent of the United States of America has been executed on even date herewith; and

WHEREAS, **ENDOTEX INTERVENTIONAL SYSTEMS, INC.**, a corporation organized and existing under and by virtue of the laws of the State of **California** and having its principal place of business at **10231 Bubb Road, Cupertino, California 95014** (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring the exclusive right, title and interest in, to and under said invention and in, to and under any Patent or similar legal protection to be obtained therefor in the United States of America, its territorial possessions and in any and all countries foreign thereto.

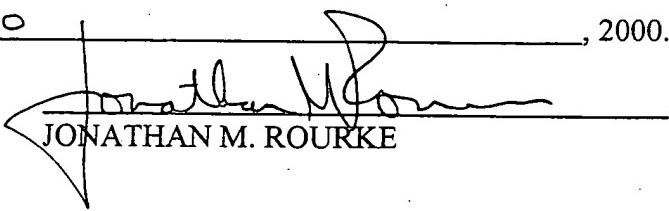
NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign, transfer and set over unto the said ASSIGNEE, its successors and assigns, the full and exclusive right, title and interest to said invention and to all Letters Patent or application or similar legal protection, not only in the United States and its territorial possessions, but in all countries foreign thereto to be obtained for said invention by said application, and to any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in the United States or a foreign country for the full term or terms for which the same may be granted, including all priority rights under the International Convention; and ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue

said Letters Patent or any legal equivalent thereof to said ASSIGNEE, its successors and assigns, in accordance with this Assignment.

ASSIGNORS hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this Agreement;

ASSIGNORS further covenant that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNORS and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents in the United States or in any foreign country, which may be necessary or desirable to carry out the purposes thereof.

WITNESS my hand at Cupertino,
California, this 20 day of JAN '00, 2000.

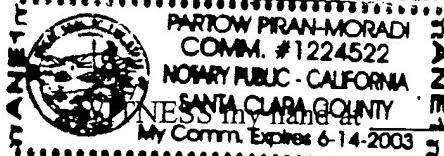

JONATHAN M. ROURKE

STATE OF CALIFORNIA)
COUNTY OF Santa Clara) ss

On 1/20/00 before me, Partow Piran-Moradi Notary Public, personally appeared
Jonathan M. Rourke

personally known to me - OR - proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



Partow Piran Moradi
Notary Public in and for said County and State

CUPERTINO

California, this 17 day of JANUARY, 2000.

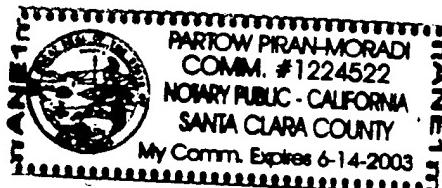
YI YANG

STATE OF CALIFORNIA)
COUNTY OF Santa Clara) ss

On 1/17/00 before me, Partow Piran-Moradi Notary Public, personally appeared
Yi Yang

personally known to me - OR - proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



Partow Piran Moradi
Notary Public in and for said County and State